

AN ORDINANCE **9 6 7 5 4**

REPEALING THE SMALL BUSINESS ECONOMIC DEVELOPMENT ADVOCACY (SBEDA) PROGRAM POLICY ORDINANCES AND SUBSTITUTING WITH A NEW ORDINANCE TO INCLUDE REVISED POLICY PROVISIONS RELATING TO THE ESTABLISHMENT OF NEW SBEDA CONTRACTING GOALS FOR FISCAL YEARS 2002 TO 2003 AND 2003 TO 2004, CLARIFYING THE PERFORMANCE STANDARD PERCENTAGE POINT SYSTEM ON DISCRETIONARY AND PROFESSIONAL SERVICE CONTRACTS, CHANGING THE TIME FRAME FOR SUBMITTAL OF THE GOOD FAITH EFFORT PLAN ON CITY PUBLIC WORKS CONSTRUCTION PROJECTS, CONSOLIDATING CERTAIN SBEDA FORMS USED FOR ADMINISTERING THE PROGRAM, CLARIFYING LANGUAGE REGARDING PROJECT-SPECIFIC GOALS, REDUCING THE ADVERTISING PERIOD ON PROCUREMENT BIDS FROM 30 DAYS TO 15 DAYS AND CHANGING THE NAME OF THE SBEDA CITIZENS ADVISORY COMMITTEE TO THE SMALL BUSINESS ADVOCACY COMMITTEE.

* * * * *

WHEREAS, the City Council of the City of San Antonio (the "City") commissioned a Disparity/Availability Study, conducted in 1992 by the National Economic Research Associates, Inc. (NERA), which found a disparity in the utilization of minority and women's business enterprises in contracts awarded by the City in the major City contracting markets of construction, procurement and professional services; and

WHEREAS, pursuant to Ordinance No. 77758, passed and approved on April 8, 1993, the City adopted certain policy provisions for its administration of a program designed to provide contracting opportunities and assistance to small, minority and women-owned business enterprises (the "SMWBA" Program); and

WHEREAS, pursuant to Ordinance No. 85355, passed and approved on December 19, 1996, the SMWBA Program name was changed to the Small, Business Economic Development Advocacy Program (hereinafter "SBEDA Program") and certain policy provisions were amended to revise definition, performance standard percentage point and goal-setting provisions; and

WHEREAS, pursuant to Ordinance No. 89269, passed and approved February 11, 1999, certain provisions of the SBEDA Program were amended to revise provisions relating to definitions, program goals, certification, and monitoring and enforcement; and

WHEREAS, the SBEDA Program requires periodic review by the City's Small Business Economic Development Advocacy Citizens Advisory Committee (the "Committee") which advises the City Council and the City Manager on the issues, goals and related policies concerning small, minority and women-owned business enterprises; and

WHEREAS, through monthly meetings the Committee and City Staff met to review the Program and its related issues; and

WHEREAS, the Committee and City Staff have, as a result of this review process, proposed to incorporate the Program policy into a single ordinance, thereby repealing Ordinance Numbers 77758, 85355 and 89269, including revisions to the policy to include new SBEDA contracting goals for Fiscal Years 2002 to 2003 and 2003 to 2004 as outlined in Attachment A and to clarify the preference point system on discretionary and professional services contracts, change the time frame for submittal of the Good Faith Effort Plan on City Public Works construction projects, consolidate certain SBEDA forms used to administer the Program, clarify language regarding project-specific SBEDA goals, reduce the advertising period on procurement bids from 30 days to 15 days and change the name of the SBEDA Citizens Advisory Committee to the Small Business Advocacy Committee as outlined in Attachment B; and

WHEREAS, the City Council now desires to repeal Ordinance Numbers 77758, 85355 and 89269 and replace them with a single new ordinance including revisions to the SBEDA Program policy as outlined in Attachments A and B; and

WHEREAS, the City Council finds it in the best interest of the City to replace Ordinance Numbers 77758, 85355 and 89269 with a single new ordinance that includes the revisions as outlined in Attachments A and B; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

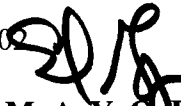
SECTION 1. Ordinance Numbers 77758, 85355 and 89269 are hereby repealed.

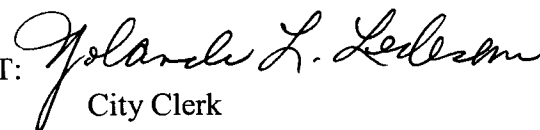
SECTION 2. The new SBEDA Program policy ordinance is hereby adopted and approved with the revisions as outlined in Attachments A and B.

SECTION 3. The goals outlined in Attachment A shall remain in effect for two (2) years; during the interim period, City staff and the Small Business Advisory Committee shall determine whether there is a continuing need for a small, minority and women's business enterprise program in its present form, make relevant findings and, as appropriate based upon those findings, make recommendations to City Council regarding amendments to this ordinance.

SECTION 4. This ordinance shall be effective on and after the tenth day after passage hereof.

PASSED AND APPROVED this 21st day of November, 2002


M A Y O R
ED MARTINEZ

ATTEST: 
City Clerk

APPROVED AS TO FORM:


for City Attorney